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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN JOSE DIVISION

13 UNITED STATES OF AMERICA, ) No. CR 11-00217 DLJ  
14 Plaintiff, ) STIPULATION AND []  
15 v. ) ORDER EXCLUDING TIME FROM JUNE  
16 JENNIPHER HERNANDEZ ) 9, 2012, THROUGH JULY 26, 2012,  
Defendant. ) FROM THE SPEEDY TRIAL ACT  
CALCULATION (18 U.S.C. §  
3161(h)(7)(A),(B))  
18 \_\_\_\_\_)

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20 A status hearing is currently set for June 7, 2012, on the Court's calendar. Due to on-  
21 going discussions between counsel about a potential resolution of the matter, the parties have  
22 agreed to seek to move the hearing date to July 26, 2012, if that date is available to the Court.

23 The United States hereby submits this written request for an order finding that said time  
24 is excluded under the Speedy Trial Act, 18 U.S.C. § 3161, in that the ends of justice are served  
25 by taking such action and outweigh the best interests of the public and defendant in a speedy  
26 trial. 18 U.S.C. § 3161(h)(7)(A). The failure to grant such a continuance would unreasonably  
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28

1 deny counsel for the government the reasonable time necessary for effective preparation, taking  
2 into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv).  
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4 DATED: June 6, 2012

MELINDA HAAG  
United States Attorney

5  
6 /s/  
7 EUMI L. CHOI  
Assistant United States Attorney

8 /s/  
9 ROBERT LYONS  
Attorney for Defendant

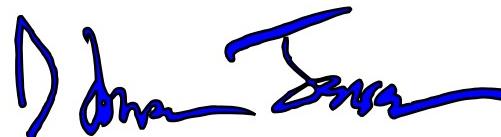
10  
11 ORDER

12 Based upon the stipulation of the parties, and for good cause shown, the Court HEREBY  
13 ORDERS that the time from June 7, 2012, through July 26, 2012, is excluded under the Speedy  
14 Trial Act, 18 U.S.C. § 3161. The Court finds that the ends of justice are served by taking such  
15 action and outweigh the best interests of the public and defendant in a speedy trial. 18 U.S.C. §  
16 3161(h)(7)(A). The failure to grant such a continuance would unreasonably deny counsel for  
17 defendant the reasonable time necessary for effective preparation, taking into account the  
18 exercise of due diligence. The Court therefore concludes that this exclusion of time should be  
19 made under 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv).

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21 IT IS SO ORDERED.

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23 DATED:

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D. LOWELL JENSEN  
United States District Court Judge